United States District Court Southern District of Texas

ENTERED

November 06, 2020 David J. Bradley, Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS MCALLEN DIVISION

UNITED STATES OF AMERICA, **§ § § §** Plaintiff, VS. 2.602 ACRES OF LAND, more or less, in STARR COUNTY, TEXAS; JOSE M. VILLARREAL; ARMANDINA B. VILLARREAL; MARIA V. GOMEZ; § MARIA GUADALUPE ESCOBAR a/k/a § MARIA GUADALUPE VILLARREAL; MARIA ISABEL VILLARREAL a/k/a MARIA VILLARREAL HAASE; ERNESTINA VERONICA VILLARREAL CIVIL ACTION NO. 7:20-cv-00283 a/k/a ERNESTINA VERONICA VILLARREAL GARCIA; CYNTHIA § VILLARREAL a/k/a CYNTHIA § VILLARREAL FLORES; LUIS MARIO VILLARREAL; AMEIDA SALINAS, STARR COUNTY TAX ASSESSOR-COLLECTOR; THE UNKNOWN HEIRS § OF CLEOTILDE RODRIGUEZ a/k/a CLOTILDE RODRIGUEZ a/k/a § CLOTILDE RODRIGUEZ BLAYLOCK; and THE UNKNOWN HEIRS OF LUZ RODRIGUEZ a/k/a LUZ RODRIGUEZ DE § GONZALEZ a/k/a MARIA DE LA LUZ § GONZALEZ, § § Defendants.

<u>ORDER</u>

The Court now considers the disclaimers executed by Defendants Cynthia Villarreal a/k/a Cynthia Villarreal Flores, Luis Mario Villarreal, Maria Guadalupe Escobar a/k/a Maria

¹ Dkt. No. 12.

Case 7:20-cv-00283 Document 16 Filed on 11/06/20 in TXSD Page 2 of 2

Guadalupe Villarreal,³ and Maria V. Gomez.⁴ In the respective disclaimers, the United States

requests the Court dismiss the disclaimed Defendant from this case. In the respective disclaimers

attached to the notice, each Defendant respectively announce that they "disclai[m] any right,

title, claim or interest in the just compensation paid or to be paid for the taking of the lands" that

are the subject of this eminent domain case and request to be dismissed from this action.⁵

Under Federal Rule of Civil Procedure 71.1(i)(2), the Court may at any time dismiss an

unnecessarily or improperly joined Defendant, or any Defendant that has no interest in the

property to be condemned.⁶ The Court reviewed the disclaimers and finds them to be duly

executed. The Court thus finds good cause for dismissing the disclaimed Defendants from this

case. Accordingly, the Court DISMISSES Defendants Cynthia Villarreal a/k/a Cynthia

Villarreal Flores, Luis Mario Villarreal, Maria Guadalupe Escobar a/k/a Maria Guadalupe

Villarreal, and Maria V. Gomez from this case and instructs the Clerk of the Court to terminate

each Defendant as a party to this case.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 6th day of November 2020.

Micaela Alvarez

United States District Judge

² Dkt. No. 13.

³ Dkt. No. 14.

⁴ Dkt. No. 15.

⁵ Dkt. Nos. 12-1, 13-1, 14-1, 15-1.

⁶ FED. R. CIV. P. 71.1(i)(2); *see id.* advisory committee's note to 1951 amendment ("[T]he court may at any time drop a defendant who has been unnecessarily or improperly joined as where it develops that he has no interest.").